

(2) to create partnerships among State and local governments, regional entities, and the private sector to preserve, conserve, and enhance nationally significant Civil War battlefields.

### SEC. 3. BATTLEFIELD ACQUISITION GRANT PROGRAM.

The American Battlefield Protection Act of 1996 (16 U.S.C. 469k) is amended—

(1) by redesignating subsection (d) as paragraph (3) of subsection (c), and indenting appropriately;

(2) in paragraph (3) of subsection (c) (as redesignated by paragraph (1))—

(A) by striking “APPROPRIATIONS” and inserting “APPROPRIATIONS”; and

(B) by striking “section” and inserting “subsection”;

(3) by inserting after subsection (c) the following:

“(d) BATTLEFIELD ACQUISITION GRANT PROGRAM.—

“(1) DEFINITIONS.—In this subsection:

“(A) BATTLEFIELD REPORT.—The term ‘Battlefield Report’ means the document entitled ‘Report on the Nation’s Civil War Battlefields’, prepared by the Civil War Sites Advisory Commission, and dated July 1993.

“(B) ELIGIBLE ENTITY.—The term ‘eligible entity’ means a State or local government.

“(C) ELIGIBLE SITE.—The term ‘eligible site’ means a site—

“(i) that is not within the exterior boundaries of a unit of the National Park System; and

“(ii) that is identified in the Battlefield Report.

“(D) SECRETARY.—The term ‘Secretary’ means the Secretary of the Interior, acting through the American Battlefield Protection Program.

“(2) ESTABLISHMENT.—The Secretary shall establish a battlefield acquisition grant program under which the Secretary may provide grants to eligible entities to pay the Federal share of the cost of acquiring interests in eligible sites for the preservation and protection of those eligible sites.

“(3) NONPROFIT PARTNERS.—An eligible entity may acquire an interest in an eligible site using a grant under this subsection in partnership with a nonprofit organization.

“(4) NON-FEDERAL SHARE.—The non-Federal share of the total cost of acquiring an interest in an eligible site under this subsection shall be not less than 50 percent.

“(5) LIMITATION ON LAND USE.—An interest in an eligible site acquired under this subsection shall be subject to section 6(f)(3) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l-8(f)(3)).

“(6) REPORTS.—

“(A) IN GENERAL.—Not later than 5 years after the date of the enactment of this subparagraph, the Secretary shall submit to Congress a report on the activities carried out under this subsection.

“(B) UPDATE OF BATTLEFIELD REPORT.—Not later than 2 years after the date of the enactment of this subsection, the Secretary shall submit to Congress a report that updates the Battlefield Report to reflect—

“(i) preservation activities carried out at the 384 battlefields during the period between publication of the Battlefield Report and the update;

“(ii) changes in the condition of the battlefields during that period; and

“(iii) any other relevant developments relating to the battlefields during that period.

“(7) AUTHORIZATION OF APPROPRIATIONS.—

“(A) IN GENERAL.—There are authorized to be appropriated to the Secretary from the Land and Water Conservation Fund to provide grants under this subsection \$10,000,000 for each of fiscal years 2004 through 2008.

“(B) UPDATE OF BATTLEFIELD REPORT.—There are authorized to be appropriated to the Secretary to carry out paragraph (6)(B), \$500,000.”; and

(4) in subsection (e)—

(A) in paragraph (1), by striking “as of” and all that follows through the period and inserting “on September 30, 2008.”; and

(B) in paragraph (2), by inserting “and provide battlefield acquisition grants” after “studies”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. HANSEN) and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

The Chair recognizes the gentleman from Utah (Mr. HANSEN).

Mr. HANSEN. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. GARY G. MILLER) to explain this legislation.

Mr. GARY G. MILLER of California. Mr. Speaker, I rise today in support of H.R. 5125, the Civil War Battlefield Preservation Act of 2002.

On July 15, I introduced this bill, along with five of my colleagues, to show Congress’s continued commitment to preserving these historic sites.

I believe by preserving history, we teach future generations not only where we are from, but also what we are about and where we are heading. Preserving our past allows us to teach our children about the valor of the soldiers who fought and died, the strife families overcame, challenges that our society met, and struggles our ideals conquered. These battlefields are living classrooms to remind future generations of our Nation’s history.

If enacted, this measure seeks to authorize the American Battlefield Preservation Program, ABPP, a proven program Congress funded in 1999 at \$8 million and again in 2002 at \$11 million.

The Civil War Battlefield Preservation Program, CWBPP, has been enormously successful. The fiscal year 1999 appropriations were used to save nearly 7,000 acres of battlefield land, and generated an additional \$16 million in non-Federal money for preservation.

This is a fiscally responsible program that promotes non-Federal partnerships with States and localities. Grants are competitively awarded through the American Battlefield Protection Program, ABPP, an arm of the National Park Service.

Money authorized in H.R. 5125 is to be used for the acquisition from willing sellers of priority battlefield properties outside NPS boundaries. Last year 63 Members and 12 Senators signed bipartisan letters supporting the fiscal year 2002 appropriation for this same purpose.

A companion bill, S. 2968, was introduced with tripartisan support. Senators SARBANES, SESSIONS and JEFFORDS are all in support of this. Funding will take place in 2002 after last year’s \$11 million appropriation is exhausted. Thereafter the bill authorizes \$10,000 a year for Civil War battlefield preservation, with a minimum one-to-one match requirement.

This bill also authorizes \$500,000 for ABPP to update the 993 Civil War Sites Advisory Commission report, which prioritizes the 384 major conflicts of the Civil War by the status of threats to their integrity.

This authorization bill, which would fund battlefield preservation from fiscal year 2004 through 2008, would provide predictability and certainty to the program’s nonfunded partners as they prepare grant applications and make budgetary decisions.

I would like to thank the gentleman from Utah (Chairman HANSEN) and the gentleman from California (Mr. RADANOVICH), as well as the gentleman from West Virginia (Mr. RAHALL) and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) for their commitment to preserving our Nation’s past.

Mrs. CHRISTENSEN. Mr. Speaker, I yield myself such time as I may consume.

(Mrs. CHRISTENSEN asked and was given permission to revise and extend her remarks.)

Mrs. CHRISTENSEN. Mr. Speaker, this bill has a very worthy goal, and we have no objection to its passage.

Mr. Speaker, I yield back the balance of my time.

Mr. HANSEN. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. HANSEN) that the House suspend the rules and pass the bill, H.R. 5125, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

### CENTRAL UTAH PROJECT COMPLETION ACT AMENDMENTS ACT

Mr. HANSEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4129) to amend the Central Utah Project Completion Act to clarify the responsibilities of the Secretary of the Interior with respect to the Central Utah Project, to redirect unexpended budget authority for the Central Utah Project for wastewater treatment and reuse and other purposes, to provide for prepayment of repayment contracts for municipal and industrial water delivery facilities, and to eliminate a deadline for such prepayment, as amended.

The Clerk read as follows:

H.R. 4129

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. AMENDMENTS TO THE CENTRAL UTAH PROJECT COMPLETION ACT.

(a) TREATMENT OF INVESTIGATION COSTS.—Section 201(b) of the Central Utah Project Completion Act (106 Stat. 4607) is amended following paragraph (2) by inserting the following: “All amounts previously expended in planning and developing the projects and features described in this subsection including amounts previously expended for investigation of power features in the Bonneville Unit shall be considered non-reimbursable and non-returnable.”.

(b) CLARIFICATION OF SECRETARIAL RESPONSIBILITIES.—Section 201(e) of the Central Utah Project Completion Act (106 Stat. 4608) is amended—

(1) in the first sentence—

(A) by striking "identified in this Act" and inserting "identified in this title and the Act of April 11, 1956 (chapter 203; 70 Stat. 110 et seq.), popularly known as the Colorado River Storage Project Act,";

(B) by inserting "relating to the Bonneville Unit of the Central Utah Project including oversight for all phases of the Bonneville Unit, the administration of all prior and future contracts, operation and maintenance of previously constructed facilities" before "and may not delegate";

(C) by striking "his responsibilities under this Act" and inserting "such responsibilities"; and

(D) by striking the period after "Reclamation" and inserting: "except through the pilot management program hereby authorized. The pilot management program will exist for a period not to exceed 5 years and shall provide a mechanism for the Secretary and the District to create a mutually acceptable organization within the Bureau of Reclamation to assist the Secretary in his responsibilities for the long-term management of the Bonneville Unit. Such pilot management program may be extended indefinitely by mutual agreement between the Secretary and the District.";

(2) in the second sentence—

(A) by inserting "technical" before "services"; and

(B) by inserting "for engineering and construction work" before "on any project features"; and

(3) by inserting at the end thereof the following new sentence: "These provisions shall not affect the responsibilities of the Bureau of Reclamation and the Western Area Power Administration regarding all matters relating to all Colorado River Storage Project power functions, including all matters affecting the use of power revenues, power rates and ratemaking.";

(C) MUNICIPAL AND INDUSTRIAL WATER.—Section 202(a)(1)(B) of the Central Utah Project Completion Act (106 Stat. 4608) is amended in the last sentence by inserting "and municipal and industrial water" after the word "basin".

(d) USE OF UNEXPENDED BUDGET AUTHORITY.—Section 202(c) of the Central Utah Project Completion Act (106 Stat. 4611) is amended to read as follows: "The Secretary is authorized to utilize all unexpended budget authority for units of the Central Utah Project up to \$300,000,000 and the balance of such budget authority in excess of this amount is deauthorized. Such \$300,000,000 may be used to provide 65 percent Federal share pursuant to section 204, to acquire water and water rights for project purposes including instream flows, to complete project facilities authorized in this title and title III, to implement water conservation measures under section 207, including use of reverse osmosis membrane technologies, water recycling, and conjunctive use, to stabilize high mountain lakes and appurtenant facilities, to develop power, and for other purposes. In addition, funds may be provided by the Commission for fish and wildlife purposes. The District shall comply with the provisions of sections 202(a)(1), 205(b), and Title VI with respect to the features to be provided for in this subsection.".

(e) PREPAYMENT OF REPAYMENT.—Section 210 of the Central Utah Project Completion Act (106 Stat. 4624) is amended—

(1) in the second sentence—

(A) by inserting "or any additional or supplemental repayment contract" after "1985,"; and

(B) by inserting "of the Central Utah Project" after "water delivery facilities"; and

(2) by striking "The District shall exercise" and all that follows through the end of that sentence.

## SEC. 2. USE OF PROJECT FACILITIES FOR NON-PROJECT WATER.

The Secretary of the Interior may enter into contracts with the Provo River Water Users Association or any of its member unit contractors for water from Provo River, Utah, under the Act of February 21, 1911 (43 U.S.C. 523), for—

(1) the impounding, storage, and carriage of nonproject water for domestic, municipal, industrial, and other beneficial purposes, using facilities associated with the Provo River Project, Utah; and

(2) the exchange of water among Provo River Project contractors, for the purposes set forth in paragraph (1), using facilities associated with the Provo River Project, Utah.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. HANSEN) and the gentleman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

The Chair recognizes the gentleman from Utah (Mr. HANSEN).

Mr. HANSEN. Mr. Speaker, I yield such time as he may consume to the gentleman from Utah (Mr. CANNON), the author of this legislation, to explain this legislation.

Mr. CANNON. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I rise in support of H.R. 4129, the Central Utah Project Completion Act Amendments Act.

As in most Western States, water in Utah is a valuable and rare resource. Some of the most difficult and important decisions we make today are about how water should be conserved, transported, and allocated. This bill will help us move in the right direction by providing CUP with the necessary flexibility to meet the existing and future water needs of the State.

This bill provides fine-tuning to the original CUPCA authorization to make changes to CUP reflecting the current needs of Utah's water users.

H.R. 4129 modifies reimbursement costs for investigation of certain power features in the Bonneville unit. It also modifies the repayment schedule for CUP projects. The bill will give CUP the opportunity to fund projects that have been promised but not yet constructed.

H.R. 4129 does not add any additional authorization to the Central Utah Project, but rather, enables the CUP to take the money granted under previous Central Utah Project Completion Act authorizations and redirect it to other projects.

Mrs. CHRISTENSEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the bill has been explained, and we support it.

Mr. Speaker, I yield back the balance of my time.

Mr. HANSEN. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. HANSEN) that the House suspend the rules and pass the bill, H.R. 4129, as amended.

The question was taken; and (two-thirds having voted in favor thereof)

the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

## DISCLAIMER OF INTEREST IN LANDS ADJACENT TO SPIRIT LAKE AND TWIN LAKES, IDAHO

Mr. HANSEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4874) to direct the Secretary of the Interior to disclaim any Federal interest in lands adjacent to Spirit Lake and Twin Lakes in the State of Idaho resulting from possible omission of lands from an 1880 survey.

The Clerk read as follows:

H.R. 4874

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. FINDINGS AND PURPOSE.

(a) FINDINGS.—The Congress finds the following:

(1) The meander lines in the original surveys by John B. David, deputy surveyor, of two lakes in the State of Idaho, Spirit Lake, formerly known as Lake Tesemini, located in T. 53 N., R. 4 W., Boise Meridian, and Twin Lakes, formerly known as Fish Lake, located in T. 52 N. and T. 53 N., R. 4 W., Boise Meridian, do not reflect the current line of ordinary high water conditions.

(2) All lands adjacent to the original meander lines have been patented.

(b) PURPOSE.—The purpose of this Act is to direct the Secretary of the Interior to issue a recordable disclaimer of interest by the United States to any omitted lands or lands lying outside the record meander lines in the vicinity of the lakes referred to in subsection (a).

### SEC. 2. DEFINITIONS.

In this Act:

(1) RECORDABLE DISCLAIMER OF INTEREST.—The term "recordable disclaimer of interest" means a document recorded in the county clerk's office or other such local office where real property documents are recorded, in which the United States disclaims any right, title, or interest to those lands found lying outside the recorded meander lines of the lakes referred to in section 1(a)(1), including omitted lands, if any.

(2) OMITTED LANDS.—The term "omitted lands" means those lands that were in place on the date of the original surveys referred to in section 1(a)(1) but were not included in the survey of the township and the meander lines of the water body due to gross error or fraud by the original surveyor.

(3) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

### SEC. 3. SURVEYS.

The Secretary shall—

(1) conduct a survey investigation of the conditions along the lakeshores of Spirit Lake and Twin Lakes in the townships referenced in section 1(a); and

(2) after the completion of the survey investigation, resurvey the original meander lines along the lakeshores, using the results of the survey investigation.

### SEC. 4. DISCLAIMER OF INTEREST IN LANDS ADJACENT TO SPIRIT LAKE AND TWIN LAKES, IDAHO.

Upon acceptance and approval of the surveys under section 3 by the Secretary, the Secretary shall—

(1) prepare a recordable disclaimer of interest with land descriptions, using the lot or tract numbers of the omitted lands, if any, and lands lying outside the record meander lines, as shown on the survey plats; and